

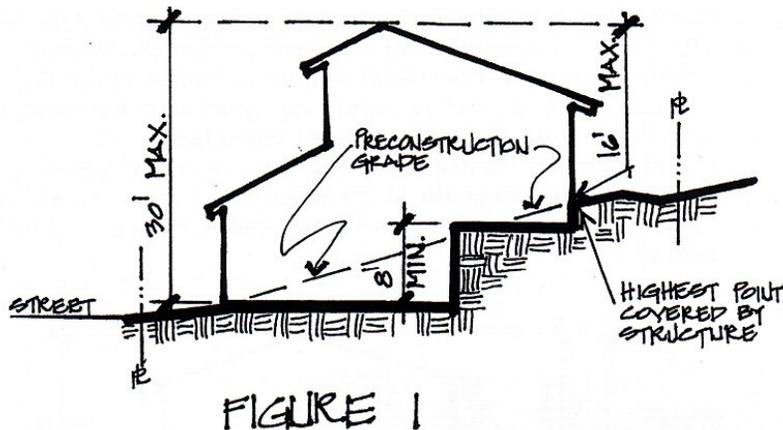
HEIGHT VARIATION PERMIT

By vote of the citizens of Rancho Palos Verdes on November 7, 1989, procedures and decision criteria for evaluating new residences or additions to existing residences which exceed the established height limits were adopted. As part of the adopted procedures, a **Height Variation Permit** process was created to allow the construction of new residences or additions to existing residences to exceed sixteen (16) feet in height, up to a maximum of twenty-six (26) feet.

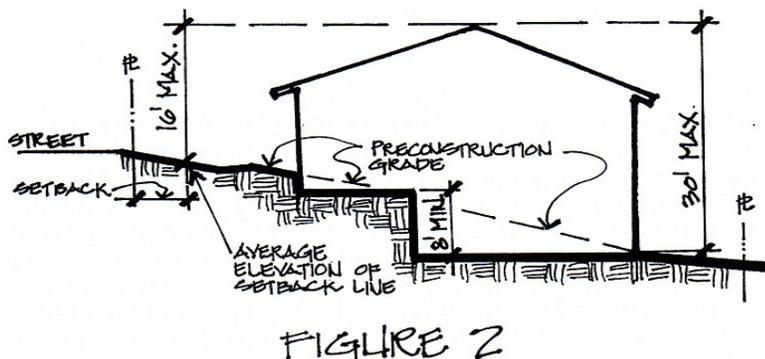
Height Measurement

Section 17.02.040(B)(1) of the City's Development Code defines the following methods for measuring height:

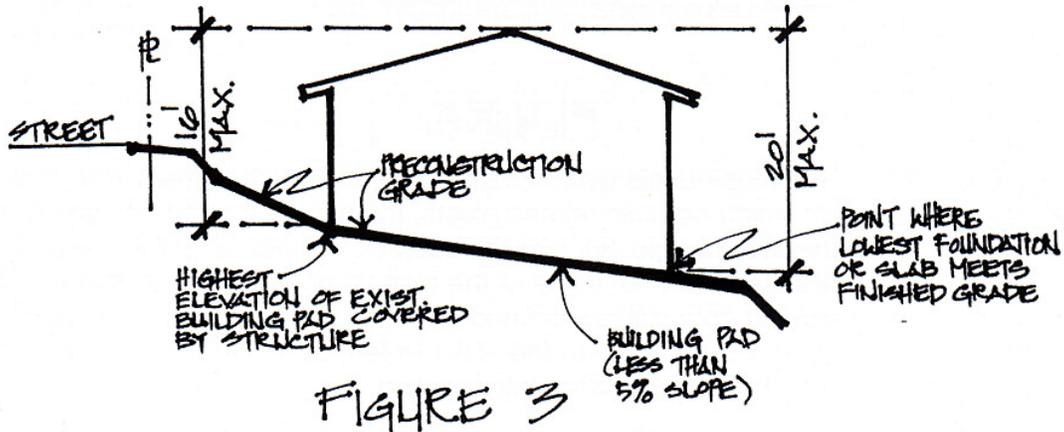
- (a) For sloping lots which slope uphill from the street of access or in the same direction as the street of access and for which no building pad exists, the height shall be measured from the preconstruction (existing) grade at the highest point on the lot to be covered by the structure to the ridgeline or the highest point of the structure, as illustrated in figure 1 below.



- (b) For sloping lots which slope downhill from the street of access and for which no building pad exists, the height shall be measured from the average elevation of the setback line abutting the street of access to the ridge line or the highest point of the structure, as illustrated in figure 2 below.

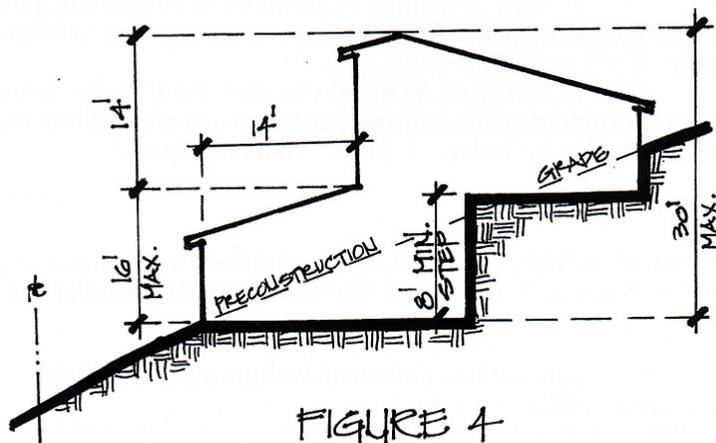


(c) For lots with a "building pad" at street level or at a different level than the street or lot configurations not previously discussed, the height shall be measured from the preconstruction (existing) grade at the highest elevation of the existing building pad area covered by the structure to the ridge line or highest point of the structure, as illustrated in figure 3 below. Portions of a structure which extend beyond the "building pad" area of a lot shall not qualify as the highest elevation covered by the structure, for the purposes of determining maximum building height. Structures allowed pursuant to this subsection shall not exceed twenty (20) feet in height, as measured from the point where the lowest foundation or slab meets finished grade, to the ridgeline or highest point of the structure. Otherwise, a Height Variation permit shall be required.



On sloping lots described above, the foundation of the structure shall contain a minimum eight (8) foot step with the slope of the lot, as illustrated in Figure 4 below. However, no portion of the structure shall exceed thirty (30) feet in height, when measured from the point where the lowest foundation or slab meets finished grade to the ridge line or highest point of the structure. The thirty (30) foot height shall not exceed a horizontally projected sixteen (16) foot height line (from the high point of the uphill step of the structure).

Furthermore, on lots which slope uphill from the street of access and where the height of a structure is in excess of sixteen (16) feet above the point where the lowest foundation or slab meets the ground, areas in excess of the sixteen (16) foot height limit shall be set back one (1) foot from the exterior building facade of the first story, most parallel and closest to the front property line, for every foot of height in excess of sixteen (16) feet, as measured from the point where the lowest foundation or slab meets the ground, as illustrated in Figure 4 below.



Review Process

A determination on a Height Variation Permit Application shall be made by the Community Development Director, in accordance with the findings described in section 17.02.040(C)(1)(e) of the City's Development Code (summarized below). However, the Director shall refer a Height Variation Permit Application directly to the City's Planning Commission for consideration under the same findings, as part of a public hearing, if any of the following is proposed:

1. Any portion of a structure which exceeds sixteen (16) feet in height extends closer than twenty-five (25) feet from the front or street-side property line; or
2. The area of the structure which exceeds sixteen (16) feet in height (the second story footprint) exceeds seventy-five percent (75%) of the first story footprint area (residence and attached garage); or
3. Sixty percent (60%) or more of a garage footprint is covered by a structure which exceeds sixteen (16) feet in height (a second story); or
4. Based on an initial site visit, the director determines that any portion of a structure which is proposed to exceed sixteen (16) feet in height may significantly impair a view.

Decision Criteria

Section 17.02.040(C)(1)(e) of the Development Code sets forth nine (9) findings which form the basis for review of Height Variation Permit Applications. The nine findings are summarized below. Please be aware that all of the findings must be made for a Height Variation Permit to be granted by the Director or Planning Commission.

- 1) The applicant has complied with the early neighbor consultation process established by the City.
- 2) The proposed structure does not significantly impair a view from public property (parks, major thoroughfares, bike ways, walkways, equestrian trails).
- 3) The proposed structure is not located on a ridge or a promontory.
- 4) The proposed structure is designed and situated in such a manner as to minimize impairment of a view.
- 5) There is no significant cumulative view impairment caused by granting the application.
- 6) The proposed structure, when considered exclusive of foliage, does not significantly impair a view from the viewing area of another parcel.
- 7) The proposed structure complies with all other code requirements.
- 8) The proposed structure is compatible with the immediate neighborhood character.
- 9) The proposed structure does not result in an unreasonable infringement of the privacy of the occupants of abutting residences.

➤ **IMPORTANT** ◀

- For a complete discussion and explanation of the City's residential building height regulations, Height Variation Application evaluation criteria and application processing procedures, please refer to Development Code Section 17.02.040 and/or the City's "Guidelines and Procedures for Preservation of Views Where Structures are Involved" manual. Copies of both are available for sale at the public counter in the Community Development Department. In addition to reviewing this information, it is highly recommended that you review the height regulations, the decision criteria and your proposal with a City Planner prior to having your plans drawn.
- Projects involving new construction and additions or tear-down / rebuilds of 1,000 SF or more will require approvals from the Los Angeles Fire Department. Prior to Completing your project plans, it is suggested that you visit the Fire Department's Hawthorne Office (LA County Fire Dept. Fire Prevention Division, 4475 W. El Segundo Blvd., Hawthorne, CA 90250, phone (310) 263-2732) to obtain their requirements (which may include costly upgrades).
- Some projects may require approval by the City's Geologist. To determine if your project requires a soils report, a geology sit visit may be required at a cost of \$255.00. Prior to completing your project plans, it is suggested that you contact the City's Building and Safety Division for more information.
- Notice: CC&R's are private restrictions or agreements. Therefore the City is not responsible for a property owner's compliance with any CC&R's that may govern their property and the City does not enforce private CC&R's. The City recommends that property owners review their title report to see if any CC&R's govern their property, and if so, consult such CC&R's prior to submittal of their application. Additionally, property owners should review their title report for any other private property restrictions (Deed Restriction, Private Easement, etc.) that may govern their property.

In order for your Height Variation Permit Application to be deemed "complete" and ready for processing, please submit all of the following items and information:

- **A Height Variation Permit Application form, completely filled out and signed by the applicant and property owner.**
- **Three (3) copies (Note: For applications that are to be reviewed by the Planning Commission, once the application has been deemed complete, you will be required to submit an electronic version of the plans) of a site plan (min. scale: 1/4" = 1') indicating:**
 1. Accurate lot dimensions, all property lines, and all easements on the lot.
 2. The adjacent street right-of-way and the access driveway of the lot (length and width specified).
 3. Topography of the lot indicated by either elevation call-outs or topographic contours.
 4. The location and dimensions of all existing and proposed structures. Structures must be clearly delineated as "existing" and "proposed".
 5. Existing grade elevations (call-outs) at all corners of the existing residence and proposed addition.
 6. The distance from all existing and proposed structures to the property lines.
 7. If applicable, the location of the Coastal Setback Line.

8. A project summary table which indicates:
 - a. Total lot area
 - b. Total existing and proposed footprint area
 - c. Total existing and proposed living area
 - d. Total existing and proposed 1st and 2nd floor area
- **Three (3) copies of elevation drawings of all four sides of the subject residential structure (minimum scale: 1/8" = 1'), indicating:**
 1. Existing grade elevations (call-outs) at all corners of the existing residence and proposed addition.
 2. The ridgeline elevation of the proposed addition.
 3. The maximum height of the proposed structure, measured from the highest point of existing grade covered by the structure to the ridge.
 4. The maximum height of the proposed structure, measured from the finished grade adjacent to the lowest foundation to the ridge.
 5. The existing and proposed portions of the residential structure.
- **Three (3) copies of floor plans showing the existing and proposed first and second story interior layout.**

All plans must be assembled in complete sets and folded no larger than 9 1/2" X 14". If Planning Commission review of the Height Variation Permit Application will be necessary, then the appropriate number of plans (3) will be requested from the applicant, (no larger than 11" x 17").
- **Two (2) copies of a "vicinity map", prepared to scale, which shows all neighboring properties within a 500 foot radius of the subject property (applicant).** The map shall also include a 100 foot radius line, taken from the subject property. The "Vicinity Map" must be prepared exactly as described in the attached instruction sheet.
- **Two (2) sets of self-adhesive mailing labels and one (1) photocopy of the labels which list the property owner of every parcel which falls within a 500 foot radius of the subject property (applicant).** The name and address of every property owner (including applicant) and the local Homeowners' Association, if any, must be typed on 8 1/2" x 11" sheets of self-adhesive labels. The mailing labels must be keyed to the corresponding lots, as shown on the vicinity map described above. The property owners mailing list must be prepared exactly as described in the attached instruction sheet.
- **Proof of meeting the City's "Early Neighbor Consultation" requirements. "Early Neighbor Consultation" may be deemed adequate if the applicant submits the following:**
 - 1) The attached "Acknowledgement of Early Neighbor Consultation" form(s) with:
 - a) The signatures of at least 60% of the property owners (excluding applicant) within 500 feet of the applicant's lot; **or**
 - b) The signatures of at least 25% of the property owners (excluding applicant) located within 500 feet of the applicant's property and the signature of at least 70% of the property owners located within 100 feet of the applicant's property.

- 2) If a local Homeowner's Association exists, the applicant shall mail a letter to the Association requesting their position on the application. A copy of this letter and any responses from the association received within 30 days of the applicant's mailing must be submitted.

In order for signatures to count toward the necessary percentages, the property owner must review the plans for the proposed addition. Acceptable efforts for obtaining the necessary signatures include:

- A) Door-to-door contact with neighbors, describing the proposed project and showing and explaining the plans; and/or
- B) Holding an "Open House" to show and explain the proposed plans, with previous written or oral invitations to the potentially affected property owners.

Any deviations from these two methods or from using the provided forms must be approved in advance by the Community Development Director. Please refer to the City's "Guidelines and Procedures for Preservation of Views Where Structures are Involved" manual for a complete description of the Early Neighbor Consultation procedure, including an optional method for satisfying the "Early Neighbor Consultation" requirements.

- **Construction of a certified temporary silhouette which clearly indicates the portions of the project which are proposed to exceed 16 feet in height.** The temporary silhouette shall be constructed using the method and materials shown and described in the attached instruction sheet. A waiver (see application form), absolving the City of any liability associated with construction of or damage by the temporary frame, must be signed by the property owner, and submitted with the application, prior to construction of the temporary frame. The application will not be determined complete until the height, placement, and construction of the framework is verified by Staff.
- **If applicable, complete applications for other proposed improvements on the property which do not require the approval of a Height Variation Application (i.e., pools/spas, first story additions, etc.).**
- **Filing fee:**

Director Review	\$4,651
Planning Commission Review	\$6,117
Neighborhood Compatibility Analysis	\$1,846
Foliage Analysis	\$571
Data Entry Processing Fee	\$4.00

HEIGHT VARIATION PERMIT APPLICATION NUMBER ZON _____

APPLICANT/CONTRACTOR:

LANDOWNER:

(Name)

(Name)

(Address)

(Address)

Telephone:

Telephone:

Email

Email

Project Location:

Project Description:

GENERAL INFORMATION

A. EXISTING DEVELOPMENT

- | | |
|-------|---|
| _____ | 1. Square footage of existing structure footprint (including any covered or enclosed patios and garage). |
| _____ | 2. Square footage of driveways, parking areas, and impervious surfaces (impervious surfaces less than 5 feet in width and/or one patio area less than 500 square feet in area shall be excluded from the lot coverage calculation). |
| _____ | 3. Square footage of lot. |
| _____ | 4. Square footage of existing lot coverage [line A1 + line A2]. |
| _____ | 5. Percentage of existing open space [100% - (line A4 divided by line A3)]. |
| _____ | 6. Square footage of existing floor area. |
| | A. First Story = _____ |
| | B. Second Story = _____ |

7. Square footage of existing garage footprint.

8. Maximum height of existing residence, measured from the highest point of existing grade covered by the structure to ridge.

9. Maximum height of existing residence, measured from the finished grade adjacent to the lowest foundation to ridge.

B. PROPOSED DEVELOPMENT

1. Maximum height of project, measured from the highest point of existing grade covered by the structure to ridge.

2. Maximum height of project, measured from the finished grade adjacent to the lowest foundation to ridge.

3. Square footage of proposed new structure area.

A. First Story = _____

B. Second Story = _____

4. Square footage of proposed new structure footprint (1st-story footprint).

5. Square footage of driveways, parking areas, and impervious surfaces (impervious surfaces less than 5 feet in width and/or patio areas less than 500 square feet in area shall be excluded from the lot coverage calculation).

6. Square footage of new lot coverage [line A1 + line B4 + line B5].

7. Percentage of new open space [100% - (line B6 divided by line A3)].

8. Minimum distance between any portion of the proposed structure which exceeds 16 feet in height and the front or street-side property line.

9. Square footage of the proposed structure which exceeds 16 feet in height (second story) footprint.

10. Square footage of the proposed structure which exceeds 16 feet in height (second story) which is located over the existing or proposed garage footprint.

11. Square footage of the proposed (first story) garage footprint.

C. GRADING INFORMATION

1. Total volume of earth to be moved (sum of cut and fill, in cubic yards).

2. Maximum height of cut and fill.

If the total volume of earth to be moved (sum of cut and fill) is 20 cubic yards or greater, involves a 3 foot cut or a 3 foot fill or greater, a separate Grading Application is required.

E. Early Neighbor Consultation

- _____ 1. Number of individual parcels under separate ownership (excluding applicant) within a 500 foot radius of applicant.
- _____ 2. Number of individual parcels under separate ownership (excluding applicant) within a 100 foot radius of applicant.
- _____ 3. Number of landowner signatures obtained.
 - a. 500 foot radius = _____
 - b. 100 foot radius = _____
- _____ 4. Percentage of signatures within 500 foot radius (line D3a divided by line D1).
- _____ 5. Percentage of signatures within 100 foot radius (line D3b divided by line D2).
- _____ 6. Local Homeowners' Association notified by letter?

F. Temporary Frame

WAIVER

I, _____, am the owner of property located at _____ in the City of Rancho Palos Verdes and wish to apply to the City for permission to construct:

I understand that, pursuant to Section 17.02.040(C)(1)(d), I must construct and maintain a temporary frame as a visual aid for evaluating the impacts of the proposed structure. I hereby waive any claim against the City of Rancho Palos Verdes for any damage or injury caused by the construction of the frame or by any subsequent failure of the frame.

Landowner Signature

Date

G. Public Right-of-Way Encroachment

Does the project involve any work, activity, or encroachment in the public right-of-way or public structure? Yes No

If so, you must obtain approval from the Public Works Department prior to issuance of construction permits.

H. Information to Determine if a Foliage Analysis is Necessary

1. Does the proposed project involve an addition or structure which is 120 square feet or more in size and which can be used as a gathering space and viewing area (i.e., decks, covered patios)?

YES NO

2. Does the proposed project involve an addition or structure which consists of 120 square feet or more of habitable space (i.e., room expansions, additions, conversions)?

YES NO

If the answer is "yes" to either question, a foliage analysis must be conducted by Staff **prior to approval of the Site Plan Review Application** to determine if any existing foliage on the applicant's property, which exceeds 16 feet or the ridgeline of the primary residence, whichever is lower, impairs a view from any surrounding properties. An additional processing fee of \$157 is required to perform the foliage analysis will generally be completed within 1 week from application submittal.

If the answer is "no" to both questions, the proposed project is exempt from the "foliage removal" requirements, and a foliage analysis of the applicant's property is not necessary.

SIGNATURES

I HEREBY CERTIFY, under penalty of perjury, that the information and materials submitted with this application are true and correct.

Signature of Applicant/Contractor

Signature of Landowner (REQUIRED)

Dated: _____

Dated: _____

CONTRACTORS PLEASE READ AND INITIAL:

I UNDERSTAND that in order to perform work in the City of Rancho Palos Verdes, a business license must be obtained from the City's Finance Department prior to obtaining a building permit from the Building and Safety Division. _____(Initials)